



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/784,990	02/25/2004	Hirochika Sato	03500.100131	8949
5514 7590 03/21/2008 FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112				
EXAMINER				
SAFAIPOUR, HOUSHANG				
ART UNIT		PAPER NUMBER		
2625				
MAIL DATE		DELIVERY MODE		
03/21/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/784,990

Applicant(s)

SATO, HIROCHIKA

Examiner

Houshang Safaipoor

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☒ Information Disclosure Statement(s) (PTO/SE/US)
Paper No(s)/Mail Date 08/04
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art (AAPA) and further in view of Bigi (US 2002/0085223).

Regarding claims 1, 4, 6, 8 and 25, AAPA discloses an image input apparatus which can perform data communication with an image output apparatus, comprising: designation means for designating an image editing process to an original; reading means for reading image data from the original; storage means for storing the image data of the original read by said reading means; original direction detection means for detecting a direction of the original in regard to the image data (pages 1-3 of the specification);

However, AAPA does not teach notifying the remote apparatus side of the original direction information detected on the local apparatus side, perform image editing and actually printing the processed image data (page 3 lines 14-24 of the specification).

Bigi discloses a system for printing documents equipped with a printer driver which instructs the printer controller as to how much rotating the controller should apply to the image before printing (abstract). Bigi further discloses that the printer driver issues instructions to the printer to print the object instance (document), including instructions whether to rotate the image

before printing (paragraph [0069] and [0072]). Therefore it would have been obvious to a person of ordinary skill in the art to utilize such printer driver, as disclosed by Bigi, in printing system, as disclosed by AAPA, to notify the remote apparatus side of the direction (orientation) of the image determined at the transmission side.

Regarding claims 2, 5, 7 and 9 combination of AAPA and Bigi discloses an image output apparatus which can perform data communication with an image input apparatus, comprising: image processing means for performing an image process according to image editing process designation received from said image input apparatus, to image data received from said image input apparatus, on the basis of an original direction detection result received from said image input apparatus; and output means for performing print output of the image data subjected to the image process by said image processing means (paragraphs [0052-0056] and [0069]).

Regarding claim 3 and 10, 11 and 12, please refer to the arguments presented under claims 1 and 2.

Regarding claims 13 and 14 please refer to the arguments presented under claims 1 and 2 and also note that Bigi determines "...whether to rotate the image before printing" ([0069]) or "...how much rotation (if any) the controller should apply to the image before printing" [0027].

Regarding claims 15 and 17, combination of AAPA and Bigi discloses determining stapling position for multiple pages (paragraphs [0052-0056 and [0064]).

Regarding claims 16 and 18, please refer to the arguments presented under claims 1 and 2.

Regarding claim 19, using multi functions (plural functions) machines is well known in the art.

Regarding claim 20, Bigi discloses a mono-functional apparatus.

Regarding claims 21, 23 and 26, please refer to the arguments presented under claims 1 and 2. Also printing page number on a recording paper is well known in the art.

Regarding claims 22, 24 and 27, please refer to the arguments presented under claims 1 and 2. Also please refer to paragraphs [0064-0068] for stapling method.

Claim Rejections - 35 USC § 101

2. Claims 6, 7, 25, 26 and 27 are rejected under 35 U.S.C. 101 because they do not comply with the requirements of MPEP 2106.IV.B.1(a).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Houshang Safaipoor whose telephone number is (571)272-7412. The examiner can normally be reached on Mon.-Fri. from 6:00am to 2:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on (571)272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Houshang Safaipour/
Primary Examiner, Art Unit 2625
March 15, 2008